

Remarks

Claims 1-22 are currently pending in the application. Claims 1-12 were subject to a restriction requirement by the Examiner. A provisional election was made, with traverse, to prosecute Claims 13-20 of the application by James LaBarre during a conversation with the Examiner on May 13, 2005, and that provisional election is hereby confirmed. As a result, Claims 1-12 have been cancelled. New Claims 21 and 22 have been added.

The Examiner states that Claims 1-6 of U.S. Patent No. 6,401,150 (Reilly), which is a parent of the present application, anticipates Claim 13 of the present application and as such, Claims 13-20 of the present application have received a double patenting rejection. In response, the Applicant has modified Claim 13 of the application to include a limitation that the network printing system have a facility for establishing communications with the host computer for the purpose of requesting print job content when any particular request has reached the top of the queue. This is not disclosed in Reilly, and, therefore, the Applicant respectfully submits that the double patenting rejection has been traversed by the amendment

The Examiner has rejected claims 13-15, 19 and 20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,933,584 (Maniwa). The Applicant's attorney has confirmed with the Examiner during a conversation on September 29, 2005 that the Examiner meant to cite U.S. Patent No. 5,113,355 (Nomura) instead. Therefore all comments regarding the rejection under 102(b) are based on Nomura.

In response to the rejection, the Applicant has amended Claim 13 to include the limitation that the job content be requested by the printer from the host when a particular print job request has reached the top of the queue. This limitation is not present in Nomura. In Nomura, the entire

print job, including print job information as well as print job content, is sent to the print server when the job is queued. In Nomura, jobs in the print queue are delayed until all fonts needed to execute the job are loaded into the printer. Nomura states at column 2, lines. 23-31 the following:

According to this printer control system of the present invention, the queue identifier of a print job which requires fonts that are all currently loaded is located at the head of the print queue, whereas the queue identifier of a print job which requires fonts that are not all loaded is located closer to the tail of the print queue until all of the necessary fonts are loaded.

To determine whether a print job is ready to be printed, (i.e., all the necessary fonts are loaded into the printer) a “font inspector” (Ref. No. 1-1 in Fig. 1) checks to see whether all the fonts required by the job are currently loaded into the printer and if so, the print job is moved to the top of the queue. *See* Nomura at column 3, lines. 23-26. To make that determination, it is necessary that the print job content be present on the network print controller such that the font inspector can inspect the content to determine which fonts are necessary. Therefore, when the print job is queued or requested by the host, both the print job information and the job content are passed to the printer control system. Nomura states at column 3, lines. 57-63 the following:

The print job transferred over the network 10 (see FIG. 7) is entered into the printer control system 1 through the print request acceptor 1-5.

The data of a print job transferred from a workstation *consists of print control data and the job content* (e.g., a document to be actually printed out.) (emphasis added)

Therefore, as a result of the amendment to Claim 13, which makes it clear that the print job information initially received by the network printer includes what is referred to in Nomura

as “print control data” and not the actual content of the document to be printed are sent to the network printer. As a result, Claims 13-15 are distinguished from Nomura and the Applicant respectfully submits that the rejection under 35 U.S.C. § 102(b) has been traversed.

Claim 19 has been amended in a manner similar to Claim 13 and therefore Claims 19-20 are also thereby distinguished from Nomura and the rejections under § 102(b) traversed.

The Applicant notes with appreciation that the Examiner has indicated that Claims 16-18 would be allowed if rewritten in independent form. However, the Applicant declines to do so at this time pending the Examiner's comments regarding the amendment of Claim 13 and the Remarks pertaining thereto.

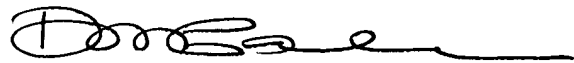
Conclusion

Claims 13 and 19 have been amended to distinguish them from the parent application upon which the double patenting rejection was based and from Nomura and, as a result, the Applicant respectfully submits that Claims 13-20 are currently patentable and requests that the Examiner issue a Notice of Allowance at the earliest possible time. In addition, the Applicant has included new Claims 21 and 22 which are believed to be patentably distinct from Nomura and all other prior art.

It is believed that this Response and Amendment requires no fee. However, if an additional fee is required for any reason, please charge Deposit Account No. 02-4553 the necessary amount.

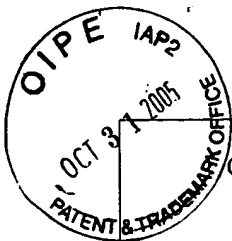
Should the Examiner have any questions regarding these amendments or arguments, the Applicant requests that the Examiner contact the Applicant's attorney, listed below.

Respectfully submitted,



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EXAMINER

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